

Notice of Allowability

Application No.

10/686,571

Examiner

Syed Y. Hasan

Applicant(s)

TOBIISHI, TOSHIHARU

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/31/2007.
2. ☒ The allowed claim(s) is/are 1, 5, 6, and 9 -17 (renumbered as 1 - 12).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>See Continuation Sheet</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 1/30/2004, 10/17/2005, 12/09/2005
AND 08/08/2006.

DETAILED ACTION

Allowable Subject Matter

1. Claims 1, 5, 6, 9 – 17 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

The present invention of claims 1, 5, 6, 9 – 17 is directed to a broadcast signal receiving apparatus comprising:

a selection circuit for selecting a channel in a received broadcast signal; a recording device that is capable of recording a program broadcasted on the selected channel selected by the selection circuit; an operation unit for setting an elapsed time threshold that is compared to a time period during which the channel broadcasting the program is selected by the selection circuit, in order for the program to be recorded automatically; and a control unit for performing control with regard to recording the program.

Since claims 5, 6, 9, 14 and 15 are dependent on claim 1, therefore they are allowed.

Independent claim 1 identifies the unique distinct feature "wherein the control unit measures a time period during which the channel is selected in a case where the selection circuit selects the channel, and performs control to record the program broadcasted on the selected channel on the recording device in a case where the measured time period exceeds the elapsed time threshold set via the operation unit ".

The closest prior art, Yun (US 5771329) discloses stopping recording of "A" channel when another channel is selected, counting the time, and if "A" channel is selected again *before* a predetermined time, resuming recording "A" channel.

Independent claim 10 identifies the unique distinct feature “a process for selecting an arbitrary channel in a received broadcast signal; and a process for setting an elapsed time threshold; a process for measuring a selected time of the selected channel; and a process for recording a program broadcasted on the selected channel, in a case where the selected time exceeds the elapsed time threshold”.

Since claims 11 – 13, 16 and 17 are dependent on claim 10, there fore they are allowed.

Therefore, claims 1, 5, 6, 9 – 17 are allowed over prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

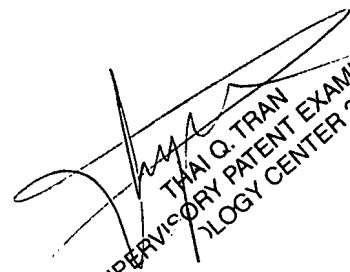
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from

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a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Y. H.
11/19/2007


THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
BIOLOGY CENTER 2600